UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

WASHOE PAIUTE TRIBE OF ANTELOPE VALLEY, et al., Plaintiffs, v. MARY WUESTER, et al., Defendants.	No. 2:18-cv-1821 TLN DB PS FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

By order filed October 19, 2018, plaintiff's complaint was dismissed and plaintiff was granted leave to file an amended complaint that cured the defects noted in that order. (ECF No. 3.) Plaintiff was granted twenty-eight days from the date of that order to file an amended complaint and was specifically cautioned that the failure to respond to the court's order in a timely manner would result in a recommendation that this action be dismissed. The twenty-eight-day period has expired, and plaintiff has not responded to the court's order in any manner.[1]

[1] Although it appears from the docket that plaintiff's copy of the order was returned as undeliverable, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of plaintiff's current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. A document containing objections should be titled "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: December 4, 2018

DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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